

Remarks

The present amendment is responsive to the Office Action mailed into above-referenced case on November 5, 2002, made final. Claims 1-16 are pending in the present application. Claims 1-16 stand rejected under 35 U.S.C. 103(a) as being unpatentable over applicant's admitted prior art in view of Hirschi, (Swiss patent No. 672624), hereinafter Hirschi.

Applicant has carefully reviewed the prior art presented by the Examiner, and the Examiner's rejections and arguments. In response to the Examiner's rejection of the claims, applicant herein provides facts and argument to establish unarguably that the remaining claims distinguish over the prior art as cited and applied by the Examiner.

The Examiner contends in the prior Office Letter, and the present Office Letter, that it would have been obvious to one of ordinary skill in the art at the time of the invention to use the perforated severing line of Hirschi in applicant's admitted prior art, because cover removal using this method makes gaining entry into the container quicker and easier.

In the prior response filed by applicant arguments were presented to the Examiner stating that the invention of the present application is in the field of integrated circuit (IC) manufacturing, pertaining in particular to apparatus and methods for modifying the narrow end(s) of a lead frame to facilitate successful tape removal during IC processing. The invention of Hirschi, on the other hand, is not in any way related to the field of applicant's invention. Hirschi teaches a method for accessing a cover on a container, for the purpose of peeling back the cover from the container for allowing access to the inside of the container. The field of Hirschi is certainly not analogous art. Applicant points out to the Examiner that the purpose of applicant's invention is not for gaining entry into a container, as is taught in Hirschi, rather; the purpose of applicant's invention is to enable

simple physical access to the edge of the thermal-resist tape applied to a lead frame of an IC package. Such a lead frame apparatus, as is claimed by applicant, for holding IC packages during IC package processing, enables easy and secure access to the tape in order to enable safe separation of the tape from the lead frame, not for gaining entry into a container, as is taught in the non-analogous art by Hirschi.

The Examiner kindly provides a "Response to Argument" section in the present Office Action stating that though the present invention is directed to IC packaging and Hirschi to coffee creamer packaging, one would be motivated to search and combine coffee creamer packaging with IC packaging because they both teach packaging techniques. The Examiner states that art may be analogous if it solves the same problem as the present invention. The Examiner states that art may be outside applicant's field of endeavor and still be analogous if both fields share the same common problem.

Applicant argues that Hirschi's packaging technique solves an entirely different problem than applicant's invention. In the art of Hirschi, packaging is removed from packaging in order to effectively contain an item. In applicant's invention packaging is removed from product in a manner not to damage the product. Applicant believes the key difference between the liquid creamer packaging of Hirschi and the IC packaging of the present invention is that the lead frame of the present invention, in which the adhesive tape is attached, is actually a part of the IC product and is utilized in the function of the IC. It is more assimilated to an IC housing than packaging. Applicant urges the Examiner to consider that the term packaging, as used in integrated circuits, has an entirely different meaning than packaging as related to foodstuffs. Packaging in ICs typically means encapsulating with a plastic material. Further, the treatment of a lead frame is not even in the area of packaging an IC. It is a preparatory step leading to packaging.

Hirschi is concerned with containing a liquid, wherein the liquid is the product and the packaging is discarded. Applicant's invention is concerned with protecting a solid product, wherein the resistive tape is attached to the solid product itself. Therefore, the Examiner's reasoning for applying Hirschi as an analogous art fails.

Applicant argues that it certainly would not have been obvious to a worker of ordinary skill in the art of IC manufacture to use the perforated severing line of Hirschi to enable simple physical access to the edge of the thermal-resist tape applied to a lead frame of an IC package, and it certainly would not have been obvious for a worker of ordinary skill in the art of applicant's invention to research how to open a coffee cream container.

Applicant believes that, in view of applicant's facts and arguments presented above, applicant's claim 1 in its present form is clearly and unarguably patentable over the admitted prior art in view of Hirschi. Claims 2-16 are therefore patentable on their own merits, or at least as depended from a patentable claim. It is therefore respectfully requested that this application be reconsidered, the claims be allowed, and that this case be passed quickly to issue.

If there are any time extensions needed beyond any extension specifically requested with this amendment, such extension of time is hereby requested. If there are any fees due beyond any fees paid with this amendment, authorization is given to deduct such fees from deposit account 50-0534.

Version With Markings to Show Changes Made

There are no amendments to the claims or specification herein made in the present response.

Respectfully Submitted,

Michael L. Scherbarth et al.

by

A handwritten signature in black ink, appearing to read "Donald R. Boys", written over a horizontal line.

Donald R. Boys

Reg. No. 35,074

Donald R. Boys
Central Coast Patent Agency
P.O. Box 187
Aromas, CA 95004
(831) 726-1457